

Police to seek £2m Strangeways cost from Waddington

By Quentin Cowdry and Ronald Faux

The Government is likely to be asked to foot a bill of up to £2 million for policing the riot at Strangeways jail, Manchester, it emerged yesterday, as disagreement over the tactics used against the protesters mounted.

The Greater Manchester Police Authority has decided that the city ratepayers cannot be expected to foot the policing costs of the worst prison disturbance this century.

It estimates that the bill for police overtime now stands at about £1 million, with other costs, including the use of the force's helicopter, adding about the same amount.

At yesterday's meeting of the police authority Mr James Anderson, Chief Constable of Greater Manchester Police, described the 21-day siege as exceptional and extraordinary. "It is the most savage incident of its kind ever experienced within the British prison service."

A delegation from the police authority will meet Mr David Waddington, the Home Secretary, to ask for a full refund.

The authority's misgivings about the huge costs of the

operation have heightened the controversy over the tactics adopted by the prison governor, Mr Brendan O'Friel, and the prison department towards the siege, which yesterday entered its 20th day.

Force was used in the early stages of the riot but management has been placing its hopes mainly on a combination of negotiations and steadily deteriorating conditions within the jail.

It has been clear for the last two days, however, that talks have been deadlocked.

Mr Ivor Serle, branch chairman of the Prison Officers' Association at Strangeways, yesterday fuelled the dispute over the handling of the riot further by claiming that his governor had wanted to storm the prison soon after the riot erupted but had been overruled by his superiors.

He said: "We believe we could have taken the prison back on Monday, April 2 - the day after the riot broke out."

"The governor was just about to say 'Go' when he was told not to go by someone higher than him." Between

400 and 500 prison officers in trained groups would have stormed the prison on that Monday, Mr Serle claimed.

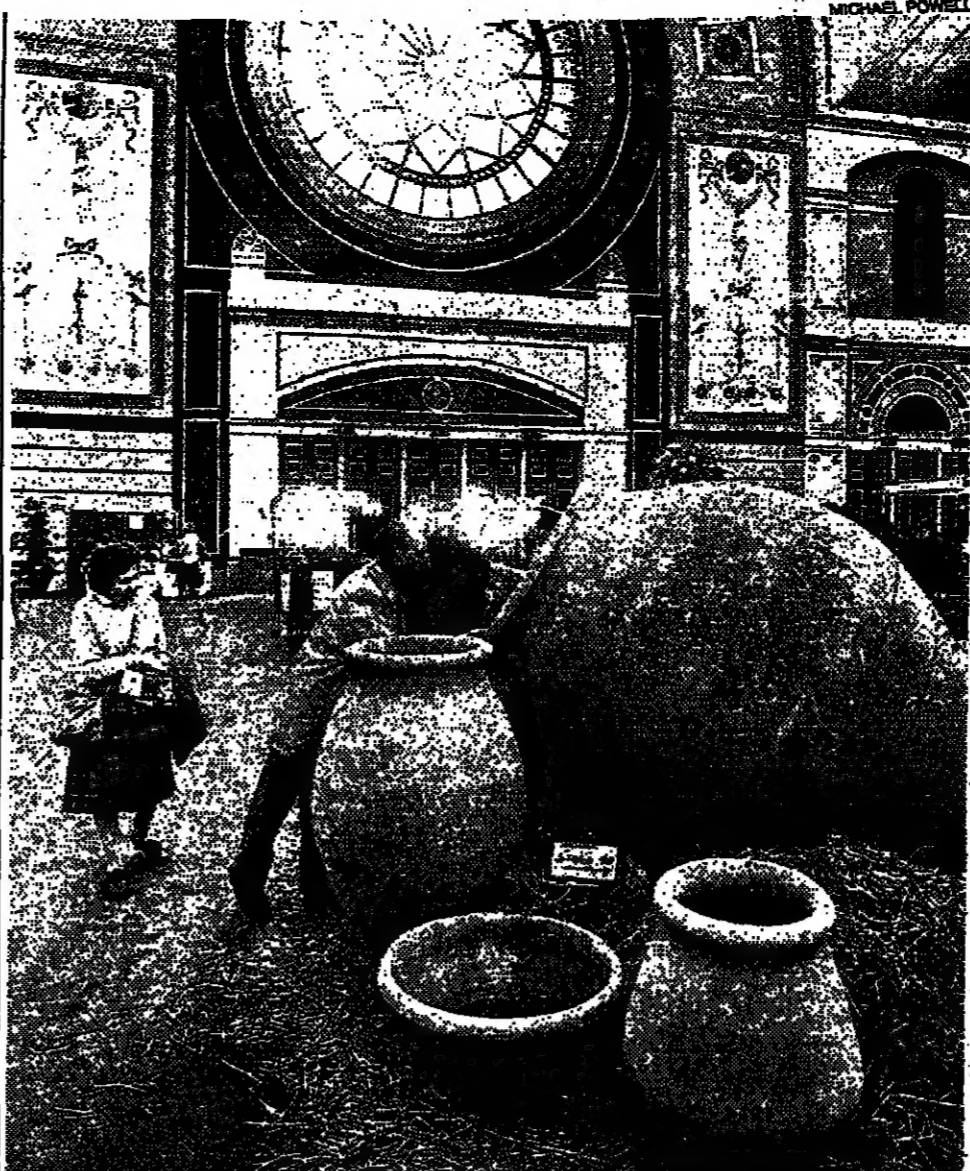
His version of events was disputed rigorously by the Home Office. It confirmed that an assault plan had been drawn up by the governor in consultation with the department, but said that there had been no question of Mr O'Friel being overruled.

A spokesman said: "It was agreed not to go ahead with the retaking of the prison by force as there was still a sizeable number of inmates at large and damage was so extensive."

"It could not be guaranteed that any action would be successful and would not lead to more serious injury or loss of life". He added: "There was no question of anyone leaning on the governor."

Informal estimates circulating around the Home Office put the cost of renovating the jail at over £50m. To build a new jail on the same site would cost more, perhaps as much as £80 million.

Leading article, page 11



Visitors to the London Garden Show examining a set of giant Spanish vessels in white terracotta, one of a series of new products on display at the Alexandra Palace exhibition, which opened yesterday and stays open until tomorrow

Scots set for long review of election to parliament

By Kerry Gill

THE scene was set yesterday for a long discussion about the electoral system that would be adopted for a Scottish parliament, a priority for a Labour government.

The Scottish Constitutional Convention is to consider methods of proportional representation which could be used to elect members to an assembly in Edinburgh.

Some Scottish Labour MPs at the convention in Glasgow yesterday still believe that the "first past the post" system would be the best option.

In an unprecedented change in policy, however, the Scottish Labour Party's executive recently backed the principle of proportional representation. It agreed that a Scottish Parliament should use an alternative to the existing system - albeit, on the casting vote of the chairman.

It was clear yesterday that the majority in the convention favour this form of election. Labour's change of heart has removed a possible rift with the Liberal Democrats, also members of the convention,

who insisted on proportional representation.

The Conservative Party and the Scottish National Party have boycotted the convention, although some individual party members attend.

Canon Kenyon Wright, chairman of the executive committee, conceded that the issue of a voting system would be difficult and potentially divisive. He said: "This must not be allowed to detract from the enormous and astonishing progress we have made."

The debate, he said, would begin a period of intense, honest and difficult discussion before the convention's next meeting in July. "Having gone so far, having come to a common mind on the principles which would have seemed impossible just a year ago, none of us will allow the immense promise of this convention to be wrecked on the rock of insistence on the single voting system."

Mr Murray Elder, secretary of the Labour Party in Scotland, said that his party had shown great flexibility over electoral reform. "There are many in the party who will be disappointed if other participants in the convention are not prepared to show the same degree of flexibility and to look with an open mind at all the various options open to us," he said.

Mr George Foulkes, Labour MP for Carrick, Cumnock and Doon Valley, said the convention must not be rushed into a decision on electoral procedure. There was, he said, plenty of time to discuss a system that would, hopefully, be in use for many centuries.

Mr Foulkes said: "Accountability is very important. If we lose the link between an MP and his constituency, that is not an increase in democracy. If we were to adopt a system where there would be tyranny of very small minority parties, that would not be an increase in democracy either."

Order on tax riot pictures

The Press Association and three other news organizations were ordered yesterday to hand over all published and unpublished photographs of last month's anti-poll tax riot in Trafalgar Square.

Judge Neil Denison, granting applications by the Metropolitan Police under the Police and Criminal Evidence Act, said however that objections by PA, London Weekend Television and Associated Press were perfectly valid.

The judge, who two weeks ago ordered 25 newspapers and television companies to hand over films of the riot, said: "It would be wrong if organizations within the media were to back down and concede every application." He heard arguments that the public interest demanded that those responsible for the violence be caught and, if guilty, convicted.

Murder charge

Mr John Brady, aged 21, of Strabane, Co Tyrone, was charged yesterday with the murder of Mr David Black, a Royal Ulster Constabulary reserve constable who died last June in a bomb explosion. Mr Brady's mother and brother also face charges in connection with the killing.

Kidnap foiled

A bogus NSPCC official who has tried to abduct at least three children is being sought by police. In the latest incident the fair-haired woman in her twenties tried to persuade a mother aged 19 in Salford, Greater Manchester, to give up her baby so that it could be "taken into care".

Actress verdict

Elizabeth Finlayson, who acted in the television series *Coronation Street* under the stage name Lisa Lewis, was put on probation for two years at Manchester Crown Court yesterday for swindling £10,000 in welfare benefits. Lewis, aged 26, of had tried to kill herself, the court was told.

Chess winner

Michael Adams, aged 18, the British chess champion, won his second round game against Jonathan Levitt bringing him level with Bent Larsen, the Danish grandmaster, in the Watson Farley and Williams international grandmaster tournament in the City of London.

Boat collision

Lifeboatmen rescued a 36ft Swedish yacht in the Channel yesterday, 21 miles off the Sussex coast after it collided with a Soviet fishing trawler in stormy weather.

Car price rise

Most Ford cars are to increase in price by an average of 3.9 per cent from May 1. This is the second time this year that Ford has raised its prices, after an average 4.4 per cent rise in January.

CORRECTIONS

Mrs Gro Harlem Brundtland was wrongly described as being still Norwegian Prime Minister in early editions yesterday. The present Prime Minister is Mr Jan Syse.

Although the Prince of Wales makes an annual contribution to the church of St Mary The Virgin, Tetbury, Gloucestershire, the vicar, The Rev John Hawthorne, tells us that the Prince has not specifically promised £30,000 as reported in early editions on Thursday.

Writers see moral rights lost through Act waiver

By Simon Task
Arts Correspondent

WRITERS' moral rights, in the terms of a Berne Convention, are being trampled by film and television companies taking advantage of a "scandalous" clause in the Copyright, Designs and Patents Act.

Authors, according to the Writers' Guild of Great Britain, are being pressured into surrendering the moral rights to their work because, unlike similar laws in most other European countries, the Act adds a waiver.

The moral rights are in the 1886 Convention which cites the "droit moral" of authors, and was updated in 1971. It was incorporated into British law in the 1988 Act which came into force last August. Rights include "paternity" to ensure that an author is credited with a work, and "integrity" which demands that a piece of writing should not be altered to the detriment of the author's reputation.

According to the guild, British television and film companies have been swift to take advantage of the waiver, with "let outs" written into contracts.

Mr Bryan Forbes, president of the Writers' Guild and an actor, writer, director and producer, said that he had suffered over a recent film script, "I fought for six months but in the end I had to agree because otherwise there would have been no contract. I lost the battle, and if I lost the battle, what chance have less experienced writers got? It's a form of censorship."

Other writers have joined the campaign being waged by the guild and by the British Copyright Council to have the waiver removed from the Act.

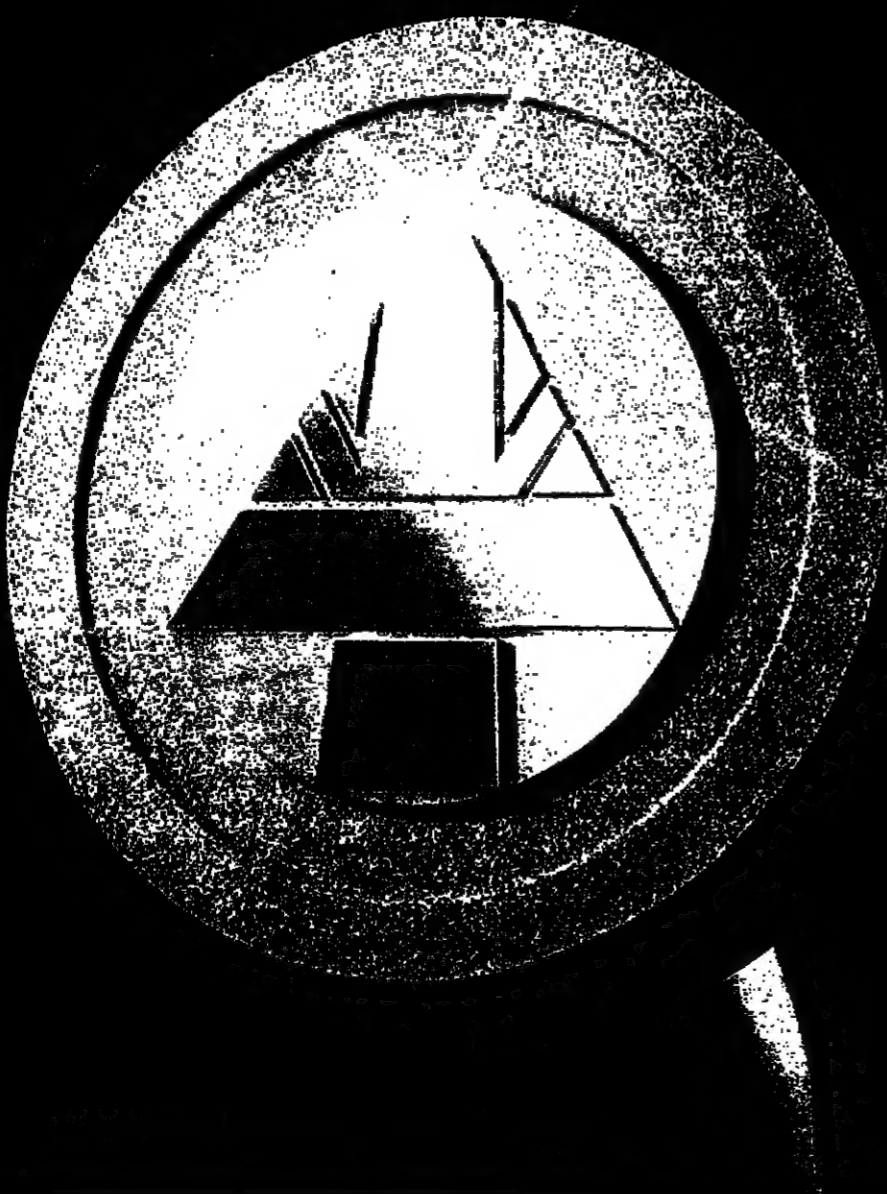
Miss Jill Hyam, a television writer, said: "Under this system it's like handing over a child to a complete stranger to abuse as they wish."

The BBC signed television co-production deals worth a record £30 million with foreign broadcasters last year.

The deals resulted in top series such as *Jeffrey Archer's Not a Penny More*, *Not a Penny Less*, Michael Palin's internationally successful *Around the World in 80 Days*, and *Portraits of a Marriage*.

Half the money - a 50 per cent increase on the previous year - came from agreements with United States networks, BBC Enterprises said. A quarter came from Europe, while deals with the Japanese - the most significant area of new business brought in nearly £3 million.

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Scientists in warning over funding for quake work

By Pearce Wright, Science Editor

SCIENTISTS gave a warning yesterday that an earthquake of the type which last year badly damaged the town of Newcastle, in Australia, could happen in Britain, and that a lack of instruments and funds could hamper their chances of alerting the public.

Their warning comes from a study of the British earthquake of three weeks ago, which they now say was centred under Bishop's Castle, Shropshire, which moves 8.37 miles from the original location given — beneath Wrexham, in north Wales.

The researchers have also modified calculations of the size of the disturbance from magnitude 5.4 on the Richter scale to magnitude 5.0, or the equivalent of unleashing the energy of 1,000 tons of TNT (14 kms (8.7 miles) beneath ground).

The latest findings indicate that earthquakes of up to magnitude 6, of the type which devastated the town of Newcastle last year could happen in Britain.

Preliminary details were presented yesterday by scientists from the British Geological Survey's Global Seismology Research Group, from Edinburgh, to a meeting of the UK Geophysical Assembly at Plymouth. Rather than feeling

embarrassed by the mistaken location of the source of the earthquake, the researchers are using the incident to reinforce their case for an improvement in their seismic monitoring equipment and the establishment of a proper national network.

Earthquakes may be unusual events in Britain, but Dr Chris Brown, of the survey, said an event like the last would be devastating if it happened beneath one of the older cities like Birmingham or Liverpool.

The size of the disturbance, the second largest this century in the British Isles, was felt from Brighton to Cardiff and Exeter to Dublin.

Investigations are continuing, with seismic monitors surrounding the new epicentre in the search for after-shocks, which could provide crucial information about the type of geological fault that caused the violent movement.

Dr Brown said there were enormous gaps in coverage, especially in central England.

Scientists are uncertain how often earthquakes have shaken parts of the British Isles and how frequently they should be expected to arise.

Records show that in the past 150 years there have been shocks as large as the Bishop's Castle quake in the south of Britain.

Dr Brown said the risks of earthquakes were seldom taken into account in Britain when the sites and construction of bridges and tunnels were being considered.

He said such risk analysis was coming increasingly into the calculations of the nuclear and chemical industries, and they were among a potential customer group for the Department of the Environment was helping to identify as collaborators in a national seismic network.

The network is needed to help scientists pin down where and how the disturbances are most likely to occur.

The latest measurements from Bishop's Castle indicate how the rock strata moved.

Fund seeks rethink on transport

By Robin Stacey

CARBON dioxide pollution of the atmosphere from car exhausts will increase by more than 30 per cent in the next 15 years unless the Government and public get to grips with changing transport habits now, a report suggests.

If the changes are successful, carbon dioxide emissions could be cut by 20 per cent, according to *The Route Ahead*, a survey by World Wide Fund for Nature-UK.

Based on a comprehensive assessment of public attitudes to air pollution by MORI, the survey calls for far-reaching changes to reduce car exhaust emissions, responsible for 50 per cent of the greenhouse effect.

Cars also put out carbon monoxide, a poisonous gas, and nitrogen oxides, which contribute towards acid rain.

The WWF action plan ranges from reducing national speed limits to improving facilities for cyclists and pedestrians. It also proposes abolishing subsidies for company cars, making manufacturers use more efficient engines and increasing fuel prices.

The research by MORI showed that 67 per cent of those sampled want a greater price differential between leaded and unleaded petrol and more than half want the introduction of catalytic converters.

Just under half want more use of public transport, while 44 per cent back fuel efficiency standards for new cars, 39 per cent favour restricting city centre commuter traffic and 17 per cent approve a 60mph speed limit.

Father left helpless as boy died

A FATHER watched helplessly as his son, aged 14, was crushed to death on a football terrace, the jury at the Hillsborough inquest was told yesterday. Adam Spearritt went to the semi-final match with his father, Mr Edward Spearritt, and the two were trapped in pen four on the Leppings Lane terrace.

After the hearing the family's solicitor said that Adam's mother, Mrs Spearritt, had searched for 12 hours not knowing whether her son was dead or alive.

Due to the pressure of the crowd on Mr Spearritt he was unable to help his son, Professor Stephen Jones said death was from traumatic asphyxia.

The coroner also dealt with the inquest on Mr Gerard Baron, aged 67, a retired postal worker of Preston, Lancashire. He died from traumatic asphyxia. The level of alcohol in his body was nil.

Gas canister arrest

A French tourist was arrested at the Central Criminal Court in London yesterday when he was found to have a CS gas canister in his possession. The man, aged 21, who set off the new high technology security system alarm at the court, was taken away for questioning at Snow Hill police station.

The unnamed man explained that the small canisters were freely available in France for personal protection and he was released after a caution.

Kray film panel

A panel of doctors at Broadmoor is to decide next week if Ronnie Kray will be allowed to see the new film about his life of crime. *The Krays*.

Rape sentence

Kenneth Sweeney, aged 22, of Veronica Crescent, Kirkcaldy, who pleaded guilty to two charges of assault and rape on two sisters, aged four and six, was jailed for 10 years at the High Court in Edinburgh yesterday.

Cut in hours

More than 1,200 workers at the Vosper Thornycroft shipbuilding yards, Hampshire, yesterday agreed to a new pay and conditions package including a two-hour reduction in the working week.

Four-ton lens

A 13ft wide, four-ton lens worth more than £5 million, is the main exhibit in the new National Lighthouse Museum, Penzance.

Castle for sale

Riber Castle, standing in 25 acres high above Matlock, Derbyshire, that changed hands for £540,283 years ago is for sale as a wild-life park for offers around £1.5 million.

Bank remand

An unemployed man, Akim Guletskin, aged 36, of no fixed abode was remanded in custody until May 4 at Bow Street Magistrates' Court yesterday accused of attempting to steal £9 million from the National Westminster Bank.

Cars destroyed

A 1961 Porsche, valued at £20,000, was one of seven cars destroyed yesterday in a garage fire at Whistable. A man is helping police.

Police meeting

The Labour-controlled Derbyshire Police Authority has arranged a meeting with Lord Ferrers, Home Office Minister, to try to resolve the stalemate over the appointment of Mr John Wesley as chief constable.

Lesser flamingos multiply through the looking glass



THIRTY lesser flamingos surrounded by their own reflections at the Wiltshire and Westlands Trust at Slimbridge, Gloucestershire yesterday, could be forgiven for thinking they had strayed through the looking glass into wonderland (Ruth Gladhill writes).

The pink flamingos are the subject of an experiment with mirrors to persuade them that they are surrounded by thousands of other flamingos, as they would be in their natural habitat. By simulating this

aspect of their African lifestyle, it is hoped to encourage them to breed in captivity and so avoid replenishing the flock from the wild.

No zoo in the world has succeeded yet in persuading small flocks to breed although a single chick is reported to have hatched in the United States.

The idea of installing six 8ft by 4ft mirrors in their house at Slimbridge is that the birds, which have been kept there since 1961, will believe their numbers to have been suddenly

enlarged. Dr Simon Pickering, flamingo research officer at Slimbridge, who developed the scheme with the late Sir Peter Scott, has tagged each bird and pairings have already been noted.

In the wild, the lesser flamingos go through a dramatic display period before they breed.

"When displaying they come together in a tightly packed group of birds where they touch each other. They then do this head flapping, when they hold their neck erect and

move their head from side to side. They make a honking, braying noise and do wing salutes. They flash out their wings and this exposes the crimson and black feathering.

"When we installed the mirrors it was quite dramatic. They started wing flapping and honking and pushing each other around.

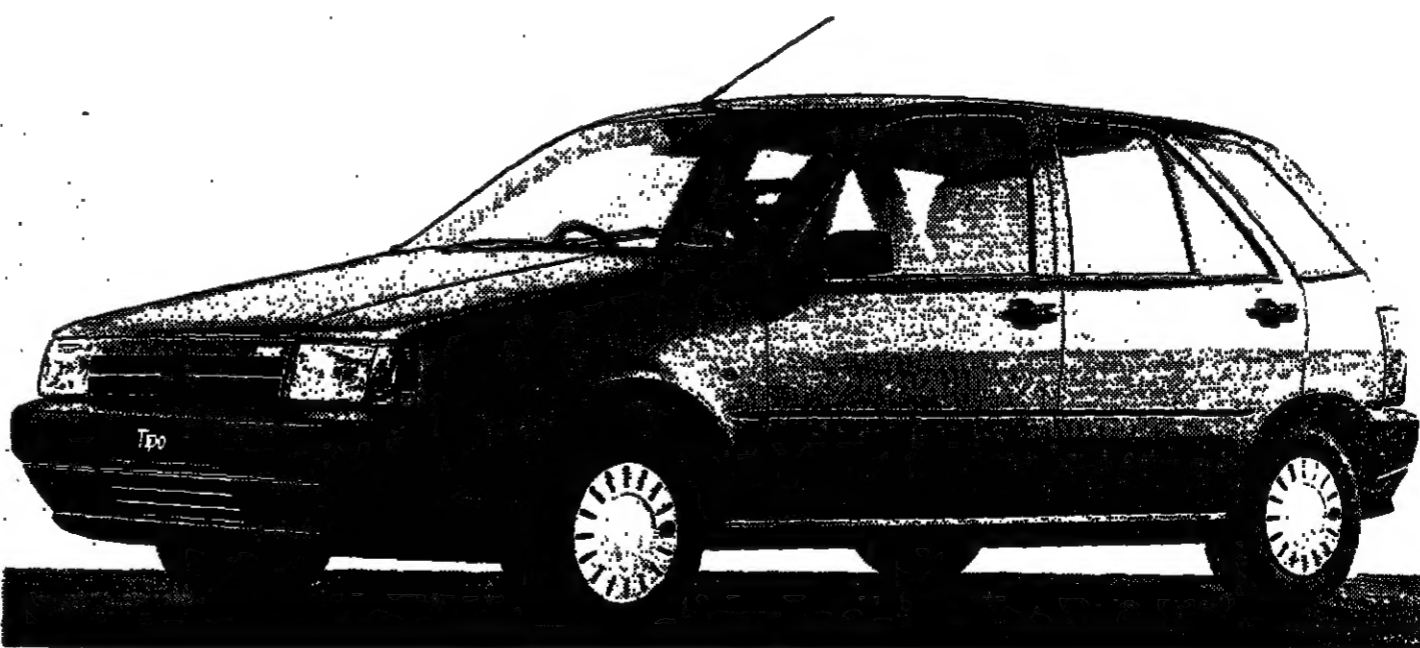
Eggs may be laid in June. Slimbridge was the first place in the UK to breed Caribbean, Chilean and greater flamingos.

● A campaign to rescue the stone-

curlew, one of Britain's rarest birds, from the threat of extinction has been launched in Berkshire. Only 160 breeding pairs still exist, mainly in the Breckland of East Anglia (Michael Hornsby writes).

The Royal Society for the Protection of Birds is to seek the help of farmers and landowners in creating and conserving the habitats that the stone-curlews need to breed. The first of the birds started arriving this month from their wintering grounds in Europe and Africa.

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FAMILY MONEY

Facing up to choices of saving

THE boom in building society accounts which pay interest gross is good news for non-taxpayers, but has left them with a vast number of choices.

Miss Kathryn Deane, editor of *Building Society Choice*, has issued a warning to savers not to pick an account just because it pays more interest. She said: "A lot depends on an individual's circumstances: how much tax-free allowances they have left, and how much they are investing."

The newsletter has developed a service which compares a saver's tax status against the best accounts. It is free to subscribers for a limited period. (Tel: 04493-287).

How GA Peps up mortgages

By Jon Ashworth

WHEN asked how they want to repay their mortgages, most borrowers choose endowment policies. With-profit endowments are popular because so many people already have them, and financial advisers and institutions like to recommend them because of the commissions involved.

It takes courage to tackle endowments head-on, but this is what General Accident Life will do when it launches a new range of personal equity plans next week.

A Pep mortgage is at the forefront of GA's package. But such plans have yet to prove attractive to homebuyers, even though they look good on paper. The first reason for this is that they do not pay the

same rate of commission to brokers, and with a short track record advisers are nervous of selecting them yet for clients.

There is also a political problem. The Labour Party has indicated it might replace Peps with a more limited scheme or abolish them altogether. Borrowers could wonder if it is worth taking out a new-plan just to cancel it in two years' time.

Mr Des Waddington, GA's development manager, thinks it is a risk worth taking. Just to make sure, GA will allow its Pep mortgage-holders to switch into an endowment plan free of charge if the worst comes to the worst.

"We'll certainly be stressing the investment risks along

with the threat posed by a change of government. But even if Peps are abolished, plan-holders will still be left with two or three years of tax-free saving."

GA wants to offer the Peps alongside its endowment and repayment mortgages, which are already sold through its 600 estate agencies. GA is tied to four building societies — the Newcastle, Cheshire, Derbyshire and Mornington — and it deals with 7,000 independent brokers on a regular basis.

Mr Waddington may consider the example of Dominion Investment Management, which has been selling Pep mortgages since 1987. It will not say how many have been sold, only that 70 per cent of Pep sales last year were mortgage-related.

Pep-holders would have to save about £30 a month to pay off a £30,000 mortgage over 25 years, assuming annual growth of 10.5 per cent. This

compares well with endowments, which would require nearer £50 a month to pay off the same amount at present rates.

The balance also tilts in favour of Pep mortgages when it comes to commission. GA endowment holders pay 67 per cent of their first year's premiums alone in commission. The amount falls from then on, settling at 2.5 per cent a year in renewal commission for most of the term.

For Peps, the picture is far more simple. Commission is charged at 3 per cent for each contribution for the whole of the term — £1.50 for each £50 in regular savings. The amount is so small that it is hardly surprising advisers prefer endowments to Peps.

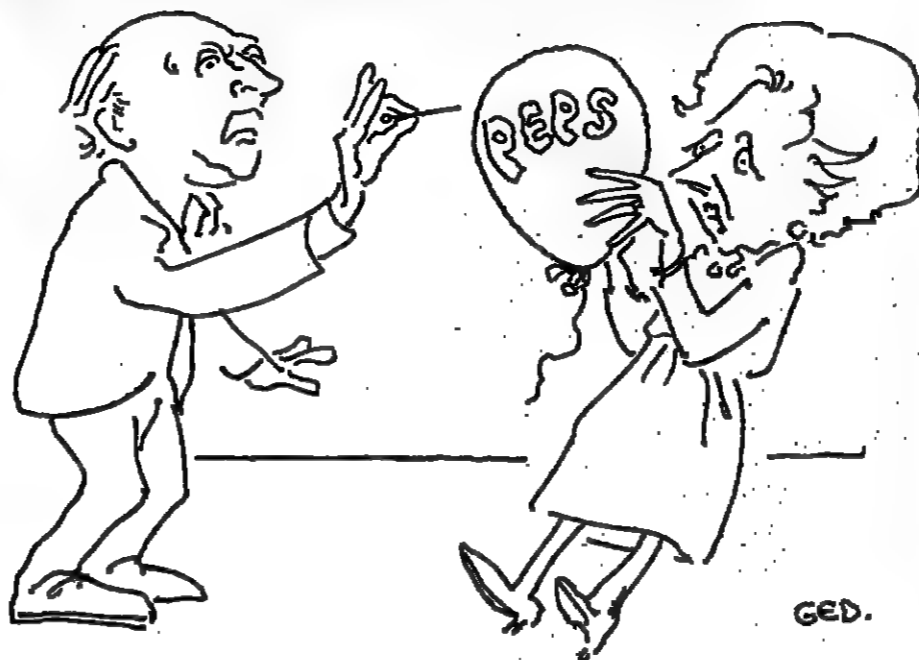
The GA Pep can be linked to either the GANDA unit trust, which invests in UK companies, or its International Portfolio, which se-

lects five UK shares with substantial earnings abroad.

GANDA, which is managed by Edinburgh Fund Managers, prefers household names like Hanson, Glaxo and Rolls-Royce. But it also invests in the likes of Carlton Communications, which has seen its shares halve in value in a matter of months.

The Pep has an initial charge of 5.75 per cent and an annual management charge of 1.5 per cent, or 1 per cent for unit trust only plans. The dealing charge for shares is only 0.25 per cent — well below many rivals.

GA is trying to establish itself in the savings and investments market, and it hopes the launch of the new Pep range will help. The minimum investment in a stand alone GA Pep is £30 a month or £1,000 as a lump sum, up to the maximum of £6,000 a year.



EC capital threat

By Jon Ashworth

EUROPEAN proposals on capital adequacy may be the death knell for independent financial advisers in Britain, according to the British Insurance & Investment Brokers' Association.

Mr David Palmer, the association's chairman, told its annual conference, in Jersey this week, that proposals to raise the required levels of capital would probably decimate the small independent financial advice sector.

The European Community has proposed that advisers should have capital of at least

£32,000, whether they handle money for clients or not.

The new level would be way beyond the means of most independent brokers, many of whom work from home on small budgets.

Mr Palmer said that it would be "out of all proportion" to the risks involved.

The provisions would not affect advisers dealing only in life assurance and pensions, but would affect the growing number who deal in unit trusts.

More than 600 people attended the conference.

BRIEFINGS

■ Mondial Assistance has added a legal helpline to its insurance package for frequent travellers — without raising premiums. The Ambassador 1990 package includes cover for medical expenses, winter sports insurance for up to 17 days, and help if cash or documents are lost. A year's protection costs £70 for Europe and £120 worldwide. A more extensive package is offered at a higher price. Motoring insurance is also available.

■ The Cheltenham & Gloucester Building Society has been granted approval in principle to set up a Guernsey subsidiary, which it expects to be able to offer an instant access account from June. Members of the society will vote on the proposal this month.

■ The Woolwich Building Society has launched a gross investment bond paying up to 15 per cent. The bond, which requires a minimum investment of £2,500, allows no withdrawals until after May 1 next year.

■ The Norwich & Peterborough Building Society has relaunched its fixed interest one-year bond, which will give non-taxpayers the chance to have their interest paid gross if they are able to self-certify that they are non-taxpayers. The interest rate is 11.33 per cent net or 15.1 per cent when paid gross. It has a minimum investment of £5,000. Access to money is available with 30 days' notice.

■ Barclays Bank is to relaunch its higher interest savings accounts on May 1 with the option of monthly interest. Capital Advantage, the 30-day notice account, will pay 11.4 per cent net on sums over £50,000. The Higher Rate Deposit Account will offer four interest rate tiers from 9 per cent to 10.25 per cent.

■ People who do not pay their bills may end up on the Register of County Court Judgments more quickly. Until recently, debtors had a month in which to pay their bills before being registered.

From this month, all uncontested judgements will be registered at once. Banks and credit card companies use the register to check the credit history of new customers.

■ Perpetual has launched a new line of personal equity plans which allow for the recent Budget changes. The Perpetual Growth and Income unit trust Pep will now invest up to half its portfolio in overseas equities. The higher investment limits of £6,000 per person also apply to Perpetual's managed share Pep, and to its share-select

scheme. Regular unit trust Pep savings start at £20 a month.

■ Midland Bank opens its first share shop in the City on Monday, allowing instant buying and selling of 750 different shares. The shop, the tenth to be opened in Midland branches, will be the first to offer a screen-based dealing service. It will open from 9.30am to 5pm, Monday to Friday. Commission starts at 1.5 per cent on share deals worth up to £7,000. The minimum charge is £20.

■ Abn-Am Management, the Aberdeen unit trust group, has taken in £5 million from new Pep investors since launching its Peps in February. Abn-Am's Far East Emerging Economies Fund was the most popular of the four funds available through the Pep. The European Fund has also proved popular. The Far Eastern fund was top of the unit trust league in 1988 and 1989.

■ A new mortgage package for first-time buyers from Birmingham Midshires saves 2 per cent off the society's interest rate for the first six months of the loan. To cut costs further, the loan is being repaid over 40 years rather than 25. The longer term could save £71.50 a month for the first six months on a £40,000 repayment mortgage. For non-taxpayers, the society has launched an investment account paying 15.75 per cent on £2,500. The interest will be paid after April 6, 1991, when composite rate tax will be abolished.

■ Yorkshire Building Society's new offshore subsidiary opened for business this week. Yorkshire Guernsey's gross-paying account, Offshore Key, pays interest at 15 per cent on £15,000 or more, and 14.5 per cent on smaller amounts. The minimum opening deposit is £5,000 and the maximum is £250,000. Money can be withdrawn immediately with the loss of 90 days' interest. Withdrawals after three months' notice are free of charge.

■ A managed unit trust and regular savings scheme form part of a new investment package from Laurenceau Unit Trust Management. The managed trust, which carries an initial charge of 60 per cent, will mainly invest in Laurenceau's seven other trusts. The minimum lump sum is £500, and there is a one per cent discount until May 4 on investments of £1,000 or more. Regular savings start at £25 a month, and withdrawals and switches can be made by investors without incurring penalties.

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Holiday from blame ends for tour groups

By Margaret Dillen

PACKAGE holidaymakers who have an accident quite unconnected with their holiday will soon be able to ask the tour operator for money and help in seeking compensation.

Even if the injury or illness is caused by somebody for whom the tour operator has no responsibility — such as a restaurant in another resort — the travel company must nevertheless help the holidaymaker sue the person, according to new rules.

If the tour operator's supplier — a hotel or a coach company — is at fault, the holidaymaker can sue the tour operator directly through the British courts.

The new rules are part of a revised code of conduct for tour operators which are members of the Association of British Travel Agents. The code is designed to anticipate a directive from the European Commission now being considered by Brussels.

The changes apply to any holiday booked from brochures for skiing and winter sun holidays starting from November 1, although some tour operators have included them with this summer's brochures.

Mr Keith Betton, public affairs manager for ABTA, admitted they were surprised that tour operators agreed to take responsibility for accidents which were beyond their control. He said: "Under our code, tour operators are no longer allowed to disclaim responsibility. If it is one of their suppliers, then they must take on the responsibility, even if it was not their fault."

He added: "If you went in to



a restaurant down the road from your hotel which was totally unconnected with the holiday or the tour operator and bad food made you ill, so long as you can link the evidence with the restaurant, you can go to your tour operator and ask for financial assistance to sue the restaurant."

Mr Martin Brackenbury, a director of Thomson Travel, said: "In the past, there have been disputes arising between clients and operators as to whether or not something that they did was something which was recommended by us or not. To overcome the problem, we have to identify as precisely as we can those items which are part of the package. But we will assist with a personal injury claim if it arises outside the description of the package."

ABTA's aim is to make tour operators more responsible for monitoring the local firms they use.

It also hopes that suppliers will be more careful knowing that, rather than tourists complaining to them, it will be

the tour operators trying to recoup compensation paid out to customers.

Until now, if a holidaymaker tripped over an hotel's frayed carpet and broke a leg, the tour operator could deny responsibility and leave the customer to sort it out with the hotel manager. Now, if someone ruined a coat by sitting on a dirty coach seat while transferring from the airport to the hotel, the tour operator must help reclaim the cost of the damage.

But tour operators will be able to refuse if they do not believe the customer has a good case.

In theory they can pay up if the tourist is claiming because he has no holiday insurance to fall back on. In practice, tour operators usually insist that customers have insurance before they leave, although this does not always have to be their own package product.

The ABTA code says that tour operators must provide up to £5,000 per booking for initial legal fees. But they are allowed to reclaim the cost from holidaymakers who have

legal expenses insurance. Consequently, many tour operators are including legal expenses insurance as part of the package insurance which they sell through brochures. Other tour operators have taken a block policy for customers.

Legal expenses insurance provides up to £5,000 worth of advice, guidance and financial help per person for pursuing a claim against someone unconnected with the tour operator.

Package holiday insurance is written by a few large insurance companies, including Norwich Union, Bishopsgate and Home & Overseas, which is part of Eagle Star. The legal expenses element is provided by specialist insurance companies.

Mr Michael Jacobs, assistant general manager of Home & Overseas, said: "The basic legal expenses cover allows a person to pursue a claim for compensation and damages for personal injury against third parties, provided you have a valid claim, but not against the travel agent or tour operator."

If you want to sue the tour operator for the negligence of one of his suppliers, you have to pay for this yourself. But it is easier to pursue a claim against the holiday company in the British courts than to seek compensation from a foreign hotelier or coach company.

Holidaymakers starting a summer holiday after May 1 have new protection as well. Tour operators must reply promptly to correspondence after a holiday or they could be fined up to £200 by ABTA.

When a payout is not a dividend

By Lindsay Cook

SHAREHOLDERS in the Rights and Issues Investment Trust had their dividend cheques returned marked "ONTP" at the beginning of the month, with no explanation being offered.

One of the 850 shareholders telephoned Discretionary Unit Fund Managers, but could not get an answer, so he contacted Family Money.

He has held shares for more than 20 years and never before has a bank refused to pay the dividend warrant.

He did not even know that the initials stood for "Ordered Not To Pay".

He said: "I have never heard of such a thing. I look on the dividend warrant as cash. I could have spent it with dire consequences."

A spokesman for Discretionary Unit Fund Managers said the trust's registrars had made an error in paying the final dividend on March 31.

It had included both the interim and final dividend, a total of 6.5p per share, instead of the 4.9p that was due.

The spokesman said: "We only found out when the letters were posted out and the best course was to put a stop on all the cheques."

"By now, everyone involved should have received a letter explaining the mistake and enclosing a replacement cheque. They have been told that any bank charges incurred because of the mistake will be refunded."

He added: "It was purely an administrative error. Some of our shareholders have the dividends mandated to their banks."

"The banks contacted the clients when the payment was stopped, but have not contacted them to tell them the replacement cheque has been sent. We've had to make a few telephone calls to the banks."

He could not say how many of the investors are private shareholders and how many are institutional investors.

Meanwhile, a spokeswoman for City Gate Registrars, a company based in Bolton, Greater Manchester, stressed: "We will meet the costs of any compensation for charges incurred by the shareholders."

Miss Lesley Renouise of the Association of Investment Trust Companies, said: "Investment trust companies must provide the aftercare which small shareholders will need."

She added that the association had been contacted on Tuesday this week by a shareholder who had still not received his replacement dividend.

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Mr Peter Griffiths, head of

customer services at Barclaycard, said: "At present, blind and partially-sighted cardholders are forced to ask family or friends to read their statements for them. Now they will have the same degree of privacy as sighted customers."

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REVIEW

SECTION 3

SATURDAY APRIL 21 1990

Clearing the name of a lifeboat 'cheat'

A stubborn legend of injustice has surrounded the man who claims to have invented the lifeboat. Now, as Brian James reports, the myth may be put to rest

Two hundred years ago the collier *Adventure* was caught between the twin perils of the Black Midden rocks and the Herd Sand shoals, which guard the mouth of the Tyne. For two days, while relatives and friends watched helplessly from a few hundred yards away, the ship fought against the gale which pressed her inexorably to her end.

The Master, Strachan, and seven perished, the local *Chronicle* reported. "To see the poor sufferer fleeing from Mast to Mast," it added, "would have melted an adamant heart."

So, indeed, would the sequel, which became a tale of intrigue and jealousy, of shipwrecking and the bosun's lash, and the rivalry of two much-contrasting men worthy of the best sort of bad Victorian writing, to be unfolded in full only now.

The *Adventure* tragedy on that Sunday morning in March 1789, the latest of many at the northern end of a sea lane which was the M1 of its day, prompted action. A self-appointed committee of Tyne shipowners and gentry, meeting at Lawes House coffee-room, offered a reward of two guineas for a "Plan of a Boat, capable of containing 24 Persons and calculated to go through a very shoal, heavy broken Sea. The Intention of it being to preserve the Lives of Seamen, from Ships coming ashore in hard gales of Wind".

In July 1789, the committee decided no entry met this need, and that the two guinea award would not be paid. Instead, it offered one guinea "compensation for his trouble" to the maker of an unusual boat, William Wouldhave, a South Shields handyman.

In Wouldhave's later words: "They offered me a guinea, as they said, because I was Second. Then said I, 'Gentlemen, who is First?' There was no reply. I took the Guineas and gave it to Mr Treadwell [a committee member] saying, 'Set this to my account, for I do not mean to pocket this'."

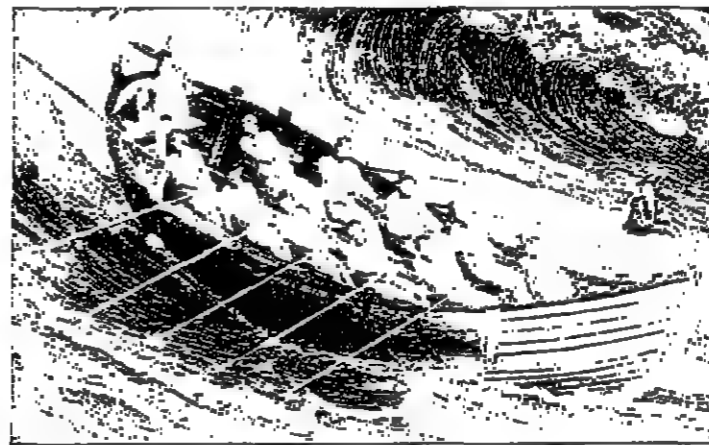
Wouldhave's words, springing from the stiff-backed independence of South Shields men, have rung down the years in Geordie lore. But if his rejection was sad, worse followed. The committee commissioned Henry Greathead, a rival who was also said to have submitted a model, though no details remain, to build a lifeboat to their suggestion.

That boat, when unveiled amid shocked whispers, was claimed to incorporate all the best features of Wouldhave's design. None the less, and surely against all justice, Greathead went on to become famous as The Inventor of the Original, was rewarded handsomely by parliament, even given diamonds by foreign royalty.

The incident has been sustained by bitter legend, found in often garish form in locally killed porcelain mugs and plaques, busts of the "cheated inventor" to fill municipal niches and, most famously, as a subject for the eminent Victorian painter Ralph Hedley, who portrayed Wouldhave and his boat bathed in the beautiful golden light of inspired genius.

It is a marvellous and melodramatic tale which suffers only from being, in those details which prove Wouldhave The Wronged Man, and cast Greathead as his Cheat, almost entirely wrong.

The truth emerges at the 200th anniversary of the launching of Greathead's Original - which marks the birth, too, of Britain's coast-long tradition of self-sac-



Heroism: a Greathead-derived lifeboat battles through raging seas (above) to aid a dismantled brig straining at anchor off Sunderland harbour. Painting (circa 1840) by John Wilson Carmichael. Dejection: William Wouldhave (far left), who claimed to have invented the first purpose-built lifeboat, and his model. Painting (circa 1890) by Ralph Hedley. Fame: Henry Greathead (centre), who is credited with designing the first lifeboat, the Original (left), which needed 10 oarsmen to power it through heavy seas.

rice which both preceded and then flowed from the formation in 1824 of the Royal National Lifeboat Institution, whose volunteers, at last count, have saved more than 118,000 lives.

New evidence has been produced as a result of detective work by Adrian Osler, a senior museum officer in Newcastle and a specialist in maritime history.

Given the task of setting up the Original bicentenary celebration, he began by "being suspicious of the Wouldhave legend. Why? Because boats aren't invented. They evolve. No one leapt from a bath yelling 'Eureka' because he had just dreamed up the coracle. That probably started as a raft".

Mr Osler found, at once, that many of the claims for Wouldhave, such as that he had suggested the use of cork in the construction in an attempt to create a self-righting capability, were nonsense. "Greathead had cork in his design. But he did not get it from Wouldhave; cork had been patented by another man four years before. Self-righting? Not in Greathead's design, nor in any other lifeboat for another 60 years. And Wouldhave wanted a metal boat. A great idea, but years before its time. Greathead built in wood." Mr Osler grew more

convinced when he left aside the boats and began to delve into the men's lives. Greathead's was often lurid; here indeed was a character fit for a G.A. Henty adventure story. A Yorkshireman, Greathead sailed from the Tyne in 1778, and was soon shipwrecked in Calais. Another ship took him to the Caribbean. He was on his way to Nova Scotia at the time of the American War of Independence when his ship was captured by a privateer. He was freed in a prisoner exchange, and promptly pressed into the Royal Navy.

Several warships later, after taking part in sea battles, witnessing the infamous incident when the Americans captured and hanged a senior British officer, and being given two dozen lashes for drunkenness, Greathead came back to the Tyne to begin work as a boatbuilder.

"A hectic seagoing life," Mr Osler says. "But the significance of it is this: during those years Greathead would have seen scores of different sorts of everyday boats: we know he saw them used to land prisoners and take off refugees from the shore in the American war, saw them used to carry cargo through the surf in the West Indies. It is no coincidence that the curved keel of his

Original, which caused such controversy, is an exact copy of the Moses Boat, used extensively in the Caribbean."

Mr Osler's research pointed to the solution of another mystery: where did Greathead get the money to begin boatbuilding? "He came out of the Navy with nothing; I saw the records of his purchases on board ship. He had little left from his 30 shillings (£1.50p) monthly wage." But Mr Osler also found, at Lloyd's, a clear hint that a Henry Greathead had been rewarded after he had "assisted in detecting a peculiarly impudent case of fraudulent stranding". Mr Osler thinks it is likely that "spilling the beans" to Lloyd's about his own shipwreck in France, one of the frequent incidents of deliberate wrecking, had earned Greathead his start-up capital.

But it was Greathead's letters to the Duke of Northumberland, his patron for the building of a second lifeboat, that persuaded Mr Osler that Greathead's designs were all his own work. "These letters discussed modifications as they occurred to him, or as he saw them necessary. Remember, this was an entirely new concept: a boat that did not have to find room for nets, fish, cargo or ferry-passengers; the first boat that had only one standard to meet its sea-keeping."

The correspondence showed Greathead to be a man of intelligence and ingenuity, with a flexible mind and the ability to adapt. He was just the sort of man with the skills and imagination to pull together all he had seen or heard about small boats - and assemble, rather than invent, the principles of the Original.

These letters, Mr Osler says, also showed a man who "knew his place, but also very much knew his value. He could have lived as happily in the 1990s as the 1790s: he was a dedicated self-publicist, a media man. In the newspaper reports of the time, his own phrases and descriptions frequently occur word for word, particularly after that day in January 1790 when the Original, 'designed by H. Greathead', saved its first life. You don't need two guesses to know who was first on to the papers with that tip". As a result, by the early 19th century

Romantic heroine of the shipwreck

BY the 1830s the national network of Greathead lifeboats was becoming less effective. Funds for maintenance were frequently unavailable and organization was often haphazard, except on the north-east coast, where the life-saving service was maintained.

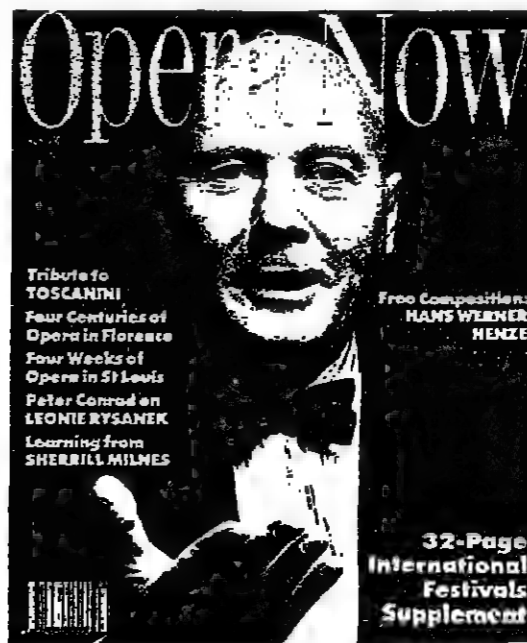
Then, in 1838, the exploits of Grace Darling helped revive public interest in lifeboats. One September night, the passenger steamship *Forfarshire*, on a journey from the Humber to Dundee, was driven in stormy seas on to Great Harcar Rock, off the Farne Islands. At first light Grace, the 22-year-old daughter of the lighthouse keeper on Longstone island, spotted the wreck and alerted her father, William Darling. They could see a few survivors on the rock and, as there was no possibility of the mainland lifeboat putting to sea in such weather, they decided to set off in their own small rowing boat. On the first



To the rescue: Grace Darling

trip, father and daughter rescued five people, and on a second journey, Mr Darling and two of the men who had just been rescued were able to bring four more of the ship's passengers to safety.

Grace became a national heroine, with reports of her bravery described lavishly in the newspapers. In gratitude, the public collected and gave her £700, which included £50 from Queen Victoria. Her death from consumption four years later added poignant durability to her status, and her picture was used extensively to advertise products such as chocolates, soaps and mustard. More importantly, she gave new impetus for a new lifeboat design was sponsored by Algernon, Duke of Northumberland. This produced the classic shape with covered areas at either end, which survived in principle for about 100 years.



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Continued overleaf

TRAVEL

The phoenix and the blessed firemen

PHOTOGRAPHS: DAVID HARDING/OLIVIER MARTEL



**James Melville,
in the reborn
Nagasaki, soaks
up its sights
and rituals**

The western tourist will encounter a fascinating phenomenon in Nagasaki: the city is full of Japanese tourists, who regard it as being exotic. They flock from their tour buses to the meticulously cared-for estate high above the harbour where Thomas Glover and other prosperous English traders built their spacious residences in the latter half of the 19th century. They scrutinize the bulky Victorian furniture, and take tea in the drawing-rooms.

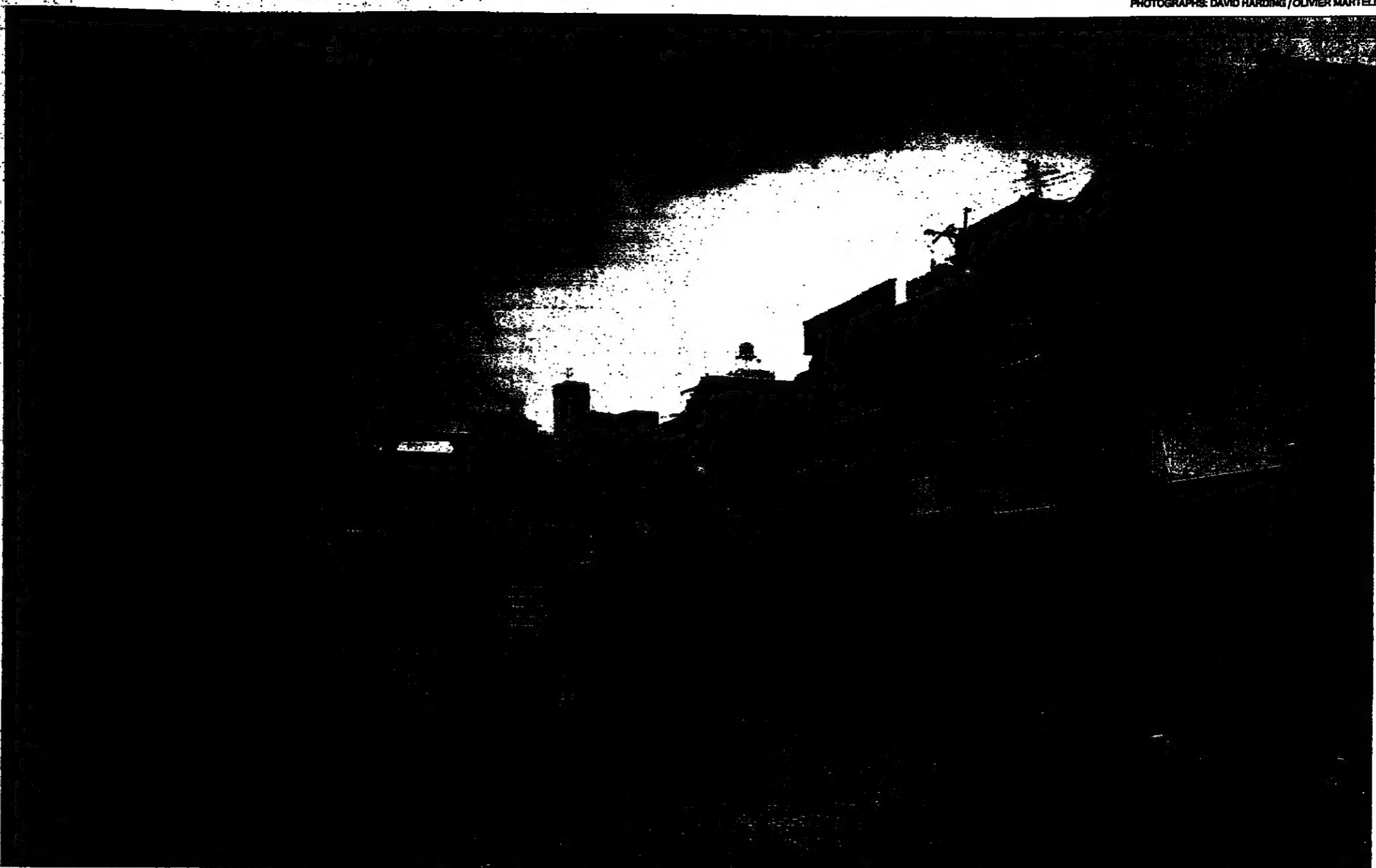
In the gardens, they pause before a memorial tablet to Puccini, whose soul must writhe in torment at the strains of *Cio-Cio-San's* aria "One Fine Day" issuing over and over again from the nearby loudspeakers.

The Japanese tourists then go in their thousands to Japan's oldest Gothic-style church, the Oura, built in memory of the crucifixion in 1597 of 20 Japanese and six foreign Christians, and to the unremarkable modern Catholic cathedral. From the souvenir shops they buy picture postcards of stained glass windows, dolls dressed as nuns, and little plaster images of red-faced Dutchmen in cutaway coats and knee-breeches. The shops also sell Chinese hats, for the sake of the significant Chinese population.

Nagasaki's Chinatown is about the size of London's, and the city also has three important places of worship: two are Buddhist temples dating from the 17th century, each founded by a Chinese priest. The third is a Confucian shrine, with a fine museum of Chinese history.

Nagasaki is a city in which the evidence of foreign influence is treasured. This is understandable, for it is the only place in Japan where contact, admittedly tenuous, was maintained with the outside world during 260 years of otherwise total seclusion imposed by the Tokugawa Shoguns between the middle of the 17th and the middle of the 19th centuries.

All foreigners were expelled, save for a few Dutch, who were confined to a tiny fan-shaped artificial island. Dejima, in Nagasaki harbour, is now surrounded by reclaimed land and is a part of the city proper, but some of its old outline may still be seen. It must have been dreadful for the wretched Dutchmen who had to live there for years on end, with only one merchant ship arriving each year to break the monotony. But life was a little better for the director of the post and a few of his senior colleagues: from time to time he was required to make the long and arduous journey to what is now Tokyo, with a small entourage and various items of furniture. There he had to make obeisance to the Shogun, present costly gifts to him, and not infrequently entertain him by giving, with his colleagues, a



Bridging the past: a bird soars high in the sky, like a phoenix, over Nagasaki's famous "Spectacles Bridge", so-called because of its likeness to a pair of glasses. Elsewhere, gaudy tourism is catching up fast



Eye-catching: costumed children join a festive ritual

public demonstration of how Europeans ate their dinner. Enough, one would surmise, to take the edge off the heaviest appetite.

Not that Nagasaki could ever have been a bad place to live, until the atomic bomb attack in August 1945, which resulted in extensive devastation in the north-east of the city. The principal areas which survived undamaged include the port and harbour area.

The official memorial is the Peace Park, a small open space laid out at the epicentre of the atomic explosion. Its principal feature is a massive bronze sculpture of a human form, erected on the 10th anniversary of the catastrophe. This is intended to represent the spirit of peace, which is somewhat surprisingly visualized as being male.

Nagasaki's topography is not unlike that of San Francisco, and the enormous natural harbour must surely be one of the most beautiful in the world. Since the older buildings for the most part cluster on the hillsides above and around the harbour, many of

fresh fish, or, in season, the deep-fried oysters.

Nagasaki acknowledges its cosmopolitan past with pride, but it is essentially a Japanese city with a Japanese heart, which for me beats most strongly at the Suwa Shrine, which merges almost imperceptibly into a hillside high in the north-east of the city.

I visited this ancient Shinto complex during the exuberant and protracted New Year celebrations. Here the sacred and the profane are on perfectly friendly terms.

It is possible at any time to bring one's new car to the Suwa Shrine for it to be ritually purified and protected from road accidents, in the special car-blessing bay incorporated into one of the subsidiary shrine buildings. The day I was there was set aside for an annual mass blessing of every vehicle brought in. These included not only a fleet of Coca-Cola delivery vans, but a magnificent, gleaming fire engine, representing all the appliances belonging to the Nagasaki fire brigade.

Firemen enjoy particularly high esteem in Japan, and those present participated in a special ceremony which took place in an open-air enclosure tucked away in a remote corner of the spacious precincts. The rite was deeply moving in its simple dignity. It involved several priests in the robes of courtiers of a thousand years ago, two of the shrine's attendant virgins and a squad of firemen. These wore not their usual uniforms but traditional firefighters' happi jackets, and business-like rubber boots, brightly polished for the occasion.

The tutelary deities were duly invoked, and then the chief priest lit a small fire of short sticks of wood, which blazed for no more than two or three minutes while more sonorous chanting went on. Already dying down to embers, the fire was then com-

pletely extinguished by the grave old priest, using first water poured from a natural gourd, then handfuls of damp seaweed, and finally a quantity of earth. After this, the attendant maidens served sake in shallow lacquer bowls to the fire chief and lay notables: an offering received as solemnly as it was made. Later each fireman was handed a personal talisman.

High above the merry hurly-burly of the lower shrines crowds of people jostled to pinch coins into the huge offertory boxes and make a brief petition for health, good luck, prosperity, examination success or whatever. Here were the true mysteries of Shinto.

Behind the enclosure a natural spring feeds a trickle of water into a pivoted bamboo receptacle, balanced in such a way that every 20 seconds or so the weight of water is enough to cause the container to tip itself, returning to its original position with a hollow "tick" sound that is hypnotically beautiful. Superstition,

perhaps? Faith? No, these firemen were not acting out of faith as those of us brought up in monotheistic traditions understand that term. For the Shinto deities are not gods in our sense; they are aspects of the life principle, residing in rocks and trees, water and fire.

To honour them is to recognize our proper, humble relationship with the forces of nature and our dependence upon them: no bad thing to do at any time, and particularly significant at the beginning of a new year.

TRAVEL NOTES

● Japan Air Lines, 5 Hanover Square, London W1R 0DR (01-629 8244), flies daily from Heathrow non-stop to Tokyo, then from Haneda domestic airport to Nagasaki. First class return £4,798. Business class, £2,808. Full Economy, £2,571.

● Information: Japan National Tourist Organization, 167 Regent Street, London W1 (01-734 9638).

● James Melville stayed at the Nagasaki Grand Hotel, about £80 for a single room.

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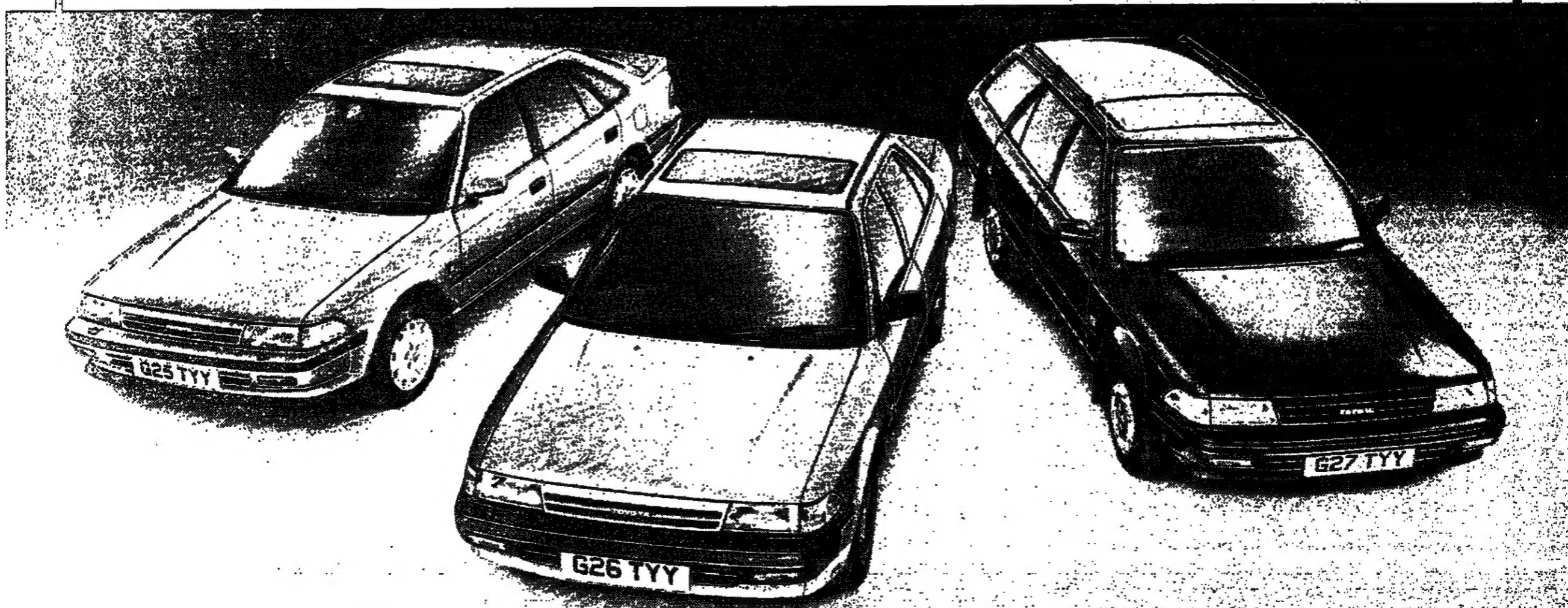
Fest of strength: robed men taking part in one of the annual street festivals that bring tourists flocking to the city

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